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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,687	07/03/2001	Henry J. Pepin	1001.1458101	1767

28075 7590 03/16/2005
CROMPTON, SEAGER & TUFTE, LLC
1221 NICOLLET AVENUE
SUITE 800
MINNEAPOLIS, MN 55403-2420

EXAMINER

BUI, VY Q

ART UNIT PAPER NUMBER

3731

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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69/898,687

EXAMINER

ART UNIT	PAPER
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20050225

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please see attached communication.

Vy Q. Bui

02/25/2005

Vy Q. Bui
Primary Examiner
Art Unit: 3731

Art Unit: 3731

DETAILED ACTION

The reply brief filed 2/1/2005 has been entered and considered.

In the reply brief filed 2/1/2005 (Remarks, page 2 of 5), the Applicant mainly argued that "in order to establish a prima facie obviousness rejection all the claim limitations must be taught or suggested by the prior art, there must be a reasonable expectation of success, and there must be some suggestion or motivation either in the references themselves or in the **knowledge generally available to one of ordinary skill in the art (emphasis added)**, to modify or combine reference teachings (M.P.E.P., sections 2143.01 and 2145) and further argued that " there is no reason to select a platinum conductive wire in the Steen et al.-U.S. Patent No. 6,213,995 device and further there is no reason to substitute a tungsten conductive wire for a platinum conductive wire in the Steen et al.-U.S. Patent No. 6,213,995 device."⁴

The Examiner would like to assert that column 5, line 14-18, Steen et al.-U.S. Patent No. 6,213,995 reference does disclose platinum as a conductive wire. Further, tungsten is a well known conductive material and because the material data/tables listing conductivity of various conductive materials are available from handbooks/engineering material handbooks/text books/internet data (please see material data attachment in the "Examiner's Answer") and these books/internet data are considered as a common source of **knowledge generally available to one of ordinary skill in the art (emphasis added)**, it would be reasonable to conclude that one of ordinary skill in the art can easily be aware of or easily recognize that tungsten is a material having a better conductivity than that of a platinum, and therefore a tungsten conductive wire can be a better substitute for a platinum conductive wire disclosed in Steen-'995 reference.

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Conclusion

The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vy Q. Bui whose telephone number is 571-272-4692. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anhtuan T Nguyen can be reached on 571-272-4963. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



02/25/2005

Vy Q. Bui
Primary Examiner
Art Unit 3731